INTERNAL AFFAIRS BUREAU
INVESTIGATIVE SUMMARY
IV - 2088294

Subjects:

JOHN PATRICK O'BRIEN, DEPUTY, #[redacted]
CENTURY STATION
Field Operations Region II

ANGELICA VARGAS, DEPUTY, #[redacted]
CENTURY STATION
Field Operations Region II

RICHARD CONLEY, DEPUTY, #[redacted]
CENTURY STATION
Field Operations Region II

[redacted]

EZEQUIEL VARELA, DEPUTY, #[redacted]
CENTURY STATION
Field Operations Region II

[redacted], DEPUTY, #[redacted]
CENTURY STATION
Field Operations Region II

NEIL KIMBALL, DEPUTY, #[redacted]
CENTURY STATION
Field Operations Region II

FRANK MONTOYA, DEPUTY, #[redacted]
COMPTON STATION
Field Operations Region II

ANTHONY WILLIS, DEPUTY, #[redacted]
COMPTON STATION
Field Operations Region II

TINA KELLEY, DEPUTY, #[redacted]
TRANSIT SERVICES BUREAU
Field Operations Region II

Date: November 11, 2001, 2110 Hours

Location: Kemp Avenue and Arbutus Street
Compton, California

Investigator: Sergeant Elier Morejon

Case Synopsis:

On November 11, 2001, Internal Affairs Bureau Sergeants Joseph Gooden and Jerry Green responded to a deputy involved hit shooting at the corner of Kemp Avenue and Arbutus Street in the City of Compton. The shooting involved nine deputy sheriff's from three different stations. Deputies John O'Brien and Angelica Vargas, Century Station, were on routine patrol in the area of El Segundo Boulevard and Grandee Avenue when they observed a vehicle being driven without its headlights on during the hours of darkness. Deputies O'Brien and Vargas attempted to stop the vehicle for the above violation but the vehicle did not stop. The vehicle continued through several red lights and continued driving while straddling the divider between the number one and two lanes of Wilmington Avenue. Deputy O'Brien believing that the driver was possibly under the influence of either alcohol or drugs activated his red lights and siren in an effort to initiate a traffic stop. The suspect vehicle did not stop and Deputy Vargas initiated a pursuit broadcast over the radio. The Century watch commander acknowledged the pursuit. The vehicle drove at a high rate of speed while running several red signal lights. The suspect vehicle stopped at the corner of 131st Street and Grape Street as Deputy O'Brien pulled their radio car behind it in order to conduct a felony traffic stop. When Deputies O'Brien and Vargas were at their vehicle and about to give the orders for the occupants to exit, they saw the suspect vehicle's reverse lights come on. Immediately following the lights coming on, they heard and saw the vehicle accelerate in their direction. The suspect's vehicle rammed the deputies vehicle, causing both deputies to lose their balance and almost fall to the ground. The suspect vehicle then accelerated forward a short distance and abruptly stopped. The vehicle again accelerated in reverse and rammed the deputies vehicle a second time. The suspect's vehicle then accelerated forward and drove away with Deputies O'Brien and Vargas in pursuit. Deputy Vargas advised assisting units that the vehicle had rammed them during a traffic stop and was now wanted for an assault on a peace officer.

A vehicle pursuit continued through Century Station's patrol area where the suspect's vehicle eventually stopped at a dead end on Arbutus Street just east of Kemp Avenue. At the terminus of the pursuit numerous units from Century Station including two from Compton Station and one from Transit Services Bureau were present. The deputies took tactical positions and were getting ready to conduct a felony traffic stop when the suspect's vehicle accelerated in reverse towards Deputy O'Brien's radio car. The suspect's vehicle struck Deputy O'Brien's vehicle as it accelerated in reverse. It then drove forward toward the south sidewalk of Arbutus Street striking the curb. The suspect again placed the vehicle in reverse and accelerated toward several deputies. The suspect's vehicle again struck Deputy O'Brien's radio car and it continued in reverse striking a second radio

car which was to his left. The suspect's vehicle continued toward several deputies as it eventually turned in an easterly direction striking a parked vehicle. The suspect vehicle stopped and now drove forward again toward the deputies positions. Deputies at the scene all feared that the suspect was about to injure or kill a deputy if they allowed his actions to continue. A total of nine deputies fired, totaling 67 rounds, at the driver of the vehicle until the vehicle came to a stop at the [redacted] of the house just [redacted] of Arbutus Street on Kemp Avenue. The front passenger in the suspect's vehicle was not injured during the incident. The driver of the vehicle was shot three times and died as a result of his injuries.

> **IAB NOTE: 12 of the 67 rounds did not strike the suspect's vehicle. One hit a residence, two hit a garage, one hit a fence and eight hit parked vehicles on Kemp Avenue. Deputy [redacted]'s front windshield of his radio car was believed to be struck by a bullet fired from Deputy Conley's handgun.**

> **IAB NOTE: The suspect was struck three times. The three shots, one each, were fired from Deputies Varela, Kimball and [redacted]'s handguns.**

The case was reviewed by the District Attorneys Office, Deputy District Attorney Linda Reisz, and concluded the following, "Howard attempted repeatedly to drive his car into patrol cars and at deputies who had emerged from their cars in order to apprehend him. Nine deputies fired their weapons in order to save their own lives, and the lives of the other deputies who were in danger of being hit by Howard's car. Given the rapidly evolving, immediately life-threatening circumstances surrounding this incident, it is the conclusion of this office that the deputies acted lawfully in self-defense and defense of others." **(See Miscellaneous Documents for copy of the District Attorney's letter)**

During the Executive Shooting Review it was determined that all involved personnel would be made subjects of an Internal Affairs Investigation for the following possible Manual of Policy and Procedures sections, 3-01/025.30 Use of Firearms and Deadly Force and 3-01/050.10 Performance to Standards.

SUBJECT INTERVIEWS

Deputy John O'Brien was interviewed by Homicide investigators on November 11, 2003 **See transcribed Subject Interviews for details.**

Deputy Angelica Vargas was interviewed by Homicide investigators on November 11, 2003 **See transcribed Subject Interviews for details.**

Deputy Neil Kimball was interviewed by Homicide investigators on November 11, 2003 **See transcribed Subject Interviews for details.**

Deputy [redacted] was interviewed by Homicide investigators on November 11, 2003 **See transcribed Subject Interviews for details.**

Deputy Ezequiel Varela was interviewed by Homicide investigators on November 11, 2003 **See transcribed Subject Interviews for details.**

Deputy Richard Conley was interviewed by Homicide investigators on November 11, 2003 **See transcribed Subject Interviews for details.**

Deputy Frank Montoya was interviewed by Homicide investigators on November 11, 2003 **See transcribed Subject Interviews for details.**

Deputy Anthony Willis was interviewed by Homicide investigators on November 11, 2003 **See transcribed Subject Interviews for details.**

Deputy Tina Kelley was interviewed by Homicide investigators on November 11, 2003 **See transcribed Subject Interviews for details.**

SWORN WITNESS INTERVIEWS

DEPUTY AMBER MONTENEGRO #[redacted]
Century Station - 213H

Deputy Montenegro said she was in the Century Sheriffs Station briefing room when she heard emergent traffic from a Sheriffs unit stating that they were at Wilmington Avenue and Rosecrans Avenue in pursuit of a reckless driver, who may be driving under the influence, who also just assaulted a peace officer with a deadly weapon. As Deputy Montenegro, along with her partner Deputy Kimball, began to respond to their location, she planned a path to assist in intercepting the suspect. As the suspect turned onto Dwight Avenue and left on Arbutus Street, Deputy Montenegro realized that they were now directly behind the pursuit, with possibly five or six patrol units in front of them. She heard radio traffic that the suspect vehicle had stopped. Deputy Montenegro saw that the suspect vehicle had stopped near [redacted] just west of the intersection of Kemp Avenue and Arbutus Street. When Deputy Kimball stopped their patrol vehicle, he ran to the northeast and she ran to the southeast. Deputy Montenegro took up a position near the intersection of Arbutus Street and Kemp Avenue on the east side. As she was taking up her position she heard tires screeching and saw the top of the suspect vehicle going in reverse toward the deputies. As the suspect vehicle continued east, she heard gunshots and believed that deputies were firing because she saw muzzle flashes and deputies with their arms in a position that would indicate that they were firing their weapons.

Deputy Montenegro stated as the suspect vehicle continued east, she observed that the vehicle maneuvered in the intersection as though attempting to go further east when suddenly the suspect vehicle backed up in a northwest direction and appeared to be out of control.

The suspect vehicle backed up and over a fence and sideswiped a vehicle that was in the driveway at the location. She stated that the engine of the suspect vehicle was revving at a very high level. Deputy Montenegro then took up a position in front of the suspect vehicle on the east side of the street. She saw that the person on the passenger side of the suspect vehicle came out with his hands up and was taken into custody by an arrest team. She believed that whoever was driving the suspect vehicle was preparing to move due to the noise of the engine. She also observed the tires of the vehicle were not spinning and from her position she could see three of the tires on the suspect vehicle. Deputy Montenegro heard several deputies ordering the driver to turn the vehicle engine off. She saw a fire ignite under the hood of the suspect vehicle and deputies were ordering the driver out of the vehicle. An arrest team approached the vehicle and took the driver into custody.

DEPUTY ALBERT ARCHULETA #[redacted]
Traffic Services Bureau - 602F

Deputy Archuleta said he has been a member of the Sheriffs Department for the past 14 months. He said prior to becoming a deputy sheriff, he was a member of the [redacted] for [redacted]. Deputy Archuleta said he is currently working Car #602F, PM's. Deputy Archuleta said he was working with a partner, Deputy Tina Kelly. Deputy Archuleta said he was the driver of the car and Deputy Kelly was the bookman.

Deputy Archuleta said he was traveling northbound on the east side of Willowbrook Avenue approaching El Segundo Boulevard. He said he saw a Sheriffs unit preparing to make a traffic stop on a vehicle located on the west side of Willowbrook Avenue. He then immediately heard the deputy say he was in pursuit of a reckless drunk driver. Deputy Archuleta said he turned and got behind the pursuing unit and became the second unit in the pursuit.

Deputy Archuleta is familiar with the area due to his [redacted] working for the [redacted], and he described the direction and the route of the pursuit as follows: They pursued the suspect southbound on Willowbrook Avenue to westbound 130th Street. They continued to southbound Aranbe Avenue, and then turned westbound on 131st Street. Deputy Archuleta said somewhere near Grape Street, the suspect vehicle slowed, and it appeared that he and the lead vehicle were about to affect a traffic stop. The suspect vehicle then drove away and the pursuit continued. As the suspect vehicle was about to turn onto either Anzac Avenue or Grape Street, it hit a curb, slowed and stopped.

Deputy Archuleta said that the deputies in the lead pursuing unit stopped behind the-suspect vehicle and he pulled to the right side of the lead unit in preparation to conduct a felony traffic stop. Deputy Archuleta said he exited his car and heard a noise coming from the suspect vehicle, as if the suspect was engaging the vehicle's gears. Deputy Archuleta said the suspect vehicle suddenly accelerated in reverse and struck the lead unit. He said the suspect vehicle lurched forward and reversed again into the lead unit, "as if trying to push it out of the way."

The suspect vehicle drove away southbound on either Grape Street or Anzac Avenue, to eastbound 137th Street, to a southbound street, made a couple of turns, and ended up southbound on Aranbe Avenue to westbound Rosecrans Avenue. The deputies pursued the vehicle westbound on Rosecrans Avenue past Wilmington to Tajauta Avenue. Deputy Archuleta believed that somewhere around Rosecrans Avenue and Tajauta Avenue, a Sheriffs helicopter unit arrived overhead, and began calling the pursuit.

The pursuit continued southbound on Tajauta Avenue, and Deputy Archuleta noticed that other Sheriff's patrol units had joined the pursuit. The suspect vehicle again stopped, but accelerated away. Deputy Archuleta said the pursuit continued a very short distance and ended up traveling eastbound on Arbutus Street, eventually crossing Kemp Avenue. Deputy Archuleta said that Arbutus Street dead ends just east of Kemp Avenue where the suspect vehicle stopped. The pursuing deputies stopped in the middle of Kemp Avenue, just west of the intersection of Arbutus Street and Kemp Avenue.

The primary unit stopped approximately 20 feet behind the suspect vehicle. Deputy Archuleta stopped his radio car to the right of the primary unit and an additional Sheriff's unit stopped to the left of the primary unit. He said other Sheriffs units arrived and stopped somewhere behind the first three-units, which were abreast of each other on Kemp Avenue.

Deputy Archuleta said that someone from the primary unit began yelling at the occupants of the suspect vehicle to turn off the car, and raise their hands. He anticipated conducting a felony stop, but the occupant or occupants inside the suspect vehicle were not complying. He said the suspect vehicle suddenly backed up and struck the primary unit's car. The suspect vehicle then pulled forward and backed up, "cutting the wheel." The suspect vehicle struck the primary unit again, then continued, turning slightly, and struck the unit just to the left of the primary unit. When asked, Deputy Archuleta said the suspect vehicle did not have the space required to attain a great deal of speed; however, it appeared to him that the suspect was trying to forcibly push the radio cars out of the way. He said the suspect was revving his engine and accelerating as he struck the radio cars.

Deputy Archuleta said that numerous deputies arrived and ran forward to positions near and around the front three radio cars. He said there were several deputies who were in danger of being struck by the suspect vehicle as it crashed into the radio cars. Deputy Archuleta said it was as the suspect vehicle struck the northernmost radio car (Deputy [redacted]s car) when he heard the first of numerous gunshots.

Deputy Archuleta said that after striking Deputy [redacted]s car, the suspect vehicle continued in reverse northbound on Kemp Avenue and crashed into a parked car. The suspect vehicle then drove forward towards several deputies who were standing by the rear of Deputy [redacted]s car. Deputy Archuleta said the suspect "drove right at them" and the deputies began firing at the suspect. The suspect vehicle immediately veered off, reversed back into a yard, drove forward across Kemp Avenue into a parked car, and reversed again against a garage, where it stopped.

Once the suspect vehicle finally stopped, the deputies were hesitant to approach. He said the deputies from the helicopter overhead began giving orders to the occupants of the suspect vehicle to exit the car. Deputy Archuleta said that a passenger in the car began sticking his hands out of the passenger window and finally exited the car. That passenger was ordered to the street and taken into custody by deputies. Deputy Archuleta said he noticed a small "fuel line" fire under the suspect vehicle, which was getting worse. He said several deputies approached the car using ballistic shields for cover. He said they rescued the driver from the car. Deputy Archuleta said that his attention was then diverted towards Suspect [redacted] (passenger), who was placed in the back seat of his car.

When asked, Deputy Archuleta said he did not recall if he heard the suspect's vehicle's tires squeal prior to striking any of the radio cars. He added, "There was no hesitation on his part to ram the police cars." Deputy Archuleta also confirmed he witnessed the suspect vehicle strike the primary unit a total of four times and Deputy [redacted]s unit one time during this incident.

DEPUTY MICHAEL VOGE #[redacted]
Sheriffs Aero Bureau - Air 22

Deputy Voge said he has been a member of the Sheriffs Department for 15 years. He said for the last five months he has been assigned as an observer at Aero Bureau, working in Air 22, along with Pilot Mike Granek.

Deputy Voge said that while he was monitoring Century Sheriffs radio frequency, he heard a unit broadcast that they were Code-9 on a reckless driver. The Code-9 was then updated to a pursuit, which was later again updated saying that the driver was wanted for an assault on a peace officer.

Deputy Voge said he and Granek arrived overhead within approximately two minutes, and began, "calling the pursuit." Deputy Voge said at one point during the pursuit, the suspect vehicle stopped, then accelerated away, continuing to be pursued. The suspect vehicle eventually stopped at the dead end of Arbutus Street at Kemp Avenue.

Deputy Voge said that radio cars stopped three abreast behind the suspect vehicle, blocking it in because of the dead end on the east end of Arbutus Street. Deputy Voge saw the suspect vehicle back up into one of the radio cars. He said someone announced on the radio that they had been hit. He said the suspect vehicle pulled forward and back again, striking a radio car again. Deputy Voge said the suspect vehicle passed the radio cars and continued backing north on Kemp Avenue. He saw the suspect vehicle strike a parked car, pull forward, and strike another parked car, then reverse and back into a yard.

When asked, Deputy Voge said he did not see any deputies shooting at the car. He said he heard someone broadcast "998" but could not tell from his position that anyone was shooting. Deputy Voge estimated he was 500 feet above the deputies.

Deputy Voge began making announcements via the helicopter's public address system ordering the occupants of the suspect vehicle to exit. He said within a couple of minutes, a suspect put his hands outside the car, then got out and walked to the deputies, who took him into custody. Deputy Voge said he saw the suspect vehicle smoking, then began burning under the hood. Deputy Voge said that deputies approached the car and used a fire extinguisher on the fire. He said he and Granek left the location at that point.

DEPUTY MICHAEL GRANEK #[redacted]
Sheriff's Aero Bureau - Air 22

Deputy Granek said he has been a member of the Sheriffs Department for 11 years and is currently assigned as a pilot for the Aero Bureau. He said he has been assigned to the Aero Bureau for 18 months and has been a pilot for the last year. Deputy Granek said he works Air 22 with Deputy Voge.

Deputy Granek said he heard via Sheriffs radio that a Century unit was in pursuit of a reckless drunk driver in the "corner pocket" area of Century Station's jurisdiction. Deputy Granek said they began flying towards the pursuit. While responding, he said the pursuit was updated to an assault with a deadly weapon on a peace officer. Deputy Granek estimated he arrived within 1 to 1 ½ minutes. Once overhead, Deputy Voge began calling the pursuit.

Deputy Granek said they followed the pursuit until the vehicle stopped. Deputy Granek said the suspect vehicle went in reverse and struck a radio car, then made a maneuver, went back in reverse at a high rate of speed, and struck another radio car. He said the suspect vehicle then made a "real fast reversing maneuver" into a driveway, stopped for a moment, accelerated across the street into a parked car, stopped and accelerated in reverse into a house, then went forward into a parked car in the driveway and stopped.

Deputy Granek said he saw smoke coming from the car and it eventually caught fire. He saw an occupant from the suspect vehicle get out of the car and saw him taken into custody. Deputy Granek said deputies approached the car and put out a Code 4. He said that as Fire personnel arrived, he and Voge left.

When asked, Deputy Granek estimated he was 300 feet above the ground during the incident. He did not see any deputies firing. He said unless he were looking directly at a person firing, he would not see a muzzle flash. When asked, Deputy Granek said he saw deputies near the radio cars which were struck, and said they were certainly close enough to possibly be struck by the suspect vehicle.

DEPUTY BRAD MOLNER #[redacted]
Compton Station - 284F

Deputy Molner said he has been a deputy sheriff for the last 11 years. He is currently assigned to the Compton Sheriffs Station as a training officer and has been there for the past 14 months. Deputy

Molner said he is assigned to work Unit #284F p.m.'s and was working from [redacted] to [redacted] hours with Deputy Frank Montoya.

Deputy Molner said he and Montoya were at the Compton Sheriffs Station booking a prisoner when he heard a sergeant say that Century Station was in pursuit in the Compton Station area. He and Montoya got into their car and began driving in the direction of the pursuit. Deputy Molner said he did not plan to join the pursuit, he only wanted to be in the general area so that if the suspect fled on foot, he could help with the containment.

Deputy Molner said he was watching the helicopter and monitoring the radio to keep current on the direction of the pursuit. At one point Deputy Molner stopped and saw the pursuit coming at him. The suspect vehicle turned east on Arbutus Street, so he went a block south to continue to be ready to help with any needed containment.

Deputy Molner said that Aero Bureau broadcast that the suspect vehicle was stopped on Arbutus Street and Kemp Avenue. Deputy Molner drove to Kemp Avenue, a block south of Arbutus Street, and could see the suspect vehicle just east of Kemp Avenue. Deputy Molner saw the suspect vehicle back into a radio car, then pull forward, striking the south curb of Arbutus Street. Deputy Molner said there was a gap between the radio car and the south curb of Arbutus Street, so he pulled his car up and blocked the gap to prevent any possible escape. Deputy Molner said that as he pulled into the gap, the suspect vehicle backed again and struck one of the radio cars. He said, "Shots started ringing out."

When asked, Deputy Molner said he did not specifically remember seeing any particular deputies. He added that the gunshots he heard were in a "quick volley," which he described as "a lot of shots."

Following the shots, Deputy Molner said the suspect vehicle struck a parked car and eventually went through a fence into a yard. He said deputies took cover and were yelling at a passenger in the suspect vehicle to exit the car. The passenger did, and was taken into custody. Deputy Molner said he saw a female arrive with a fire extinguisher and a sergeant and several deputies formed a rescue team to get the driver out of the car, which he said was burning.

When asked, Deputy Molner said he knew Montoya fired at least 1 round as the suspect vehicle backed towards the radio cars after striking the south curb of Arbutus Street, but he did not specifically see any other deputies fire; he just heard the shots.

CIVILIAN WITNESS INTERVIEW


[redacted]

Ms. [redacted] stated that she was expecting company on the evening of 11-10-2001. Ms. [redacted] was looking out her [redacted] when she saw a small, possibly a gray vehicle, stopped near her residence. She also saw that police cars were surrounding the vehicle. She heard the police officers telling the occupants of the vehicle to get out of the car. She said that there were several officers commanding the occupants to exit the vehicle, as well as announcements coming from the helicopter overhead.

Ms. [redacted] indicated that she then saw the suspect vehicle accelerate backwards and strike one of the police cars. She stated that during this, she noticed the police had their weapons drawn while yelling for the suspects to exit the vehicle. She stated that as the suspect vehicle backed into the police car, she "got down" and did not see anything else, but she did heard shooting. She said there was a lot of shooting.

[redacted]

On 11-11-2001 at 0130 hours, Investigators conducted an interview with Witness [redacted] at the Century Regional Detention Facility. Mr. [redacted] was the passenger of the suspect vehicle and he was subsequently detained pending further investigation.

Mr. [redacted] said that he knew the suspect but only from having seen him around the neighborhood. Mr. [redacted] explained that on 11-10-2001 at approximately 2000 hours, he saw the suspect near the corner of 138th Street and Wilmington Avenue. Mr. [redacted] asked the suspect if he would give him a ride to the liquor store located at the corner of 124th Street and Wilmington Avenue. The suspect agreed to give Mr. [redacted] a ride to the liquor store. The suspect drove his vehicle on 134th Street to Grandee Avenue, and then to El Segundo Boulevard, where he observed a black and white marked Sheriffs patrol vehicle.

Upon seeing the Sheriff's vehicle, the suspect told Mr. [redacted] "I can't go back to jail." The suspect further stated that he had warrants, was on probation or parole, and had two strikes against him. The suspect further stated, "I ain't going out like this."

The suspect accelerated the vehicle and Mr. [redacted] became scared and asked the suspect to let him out. The suspect told Mr. [redacted] that it was too late for that. Mr. [redacted] stated that while the police were pursuing them, he continued to ask the suspect to let him out of the vehicle. The suspect continued telling him that he had no time to let him out of the vehicle.

Mr. [redacted] said that the Suspect's vehiclewas blocked in by Sheriff's vehicles somewhere on Arbutus Street. Mr. [redacted] said that the suspect put the car in reverse, started backing up while saying he was not going out like this. Mr. [redacted] stated he just wanted to get out of the vehicle because he was not running from the law. Mr. [redacted] said that as the suspect accelerated in reverse

towards the deputies vehicles, he heard shooting. Mr. [redacted] also said that during the pursuit the Suspect's vehicle had bumped into some of the neighbor's vehicles prior to the termination. Mr. [redacted] stated that there were no weapons in the suspect vehicle.

Mr. [redacted] stated that bullets just started flying and the windows of the suspect vehicle were shot out. The suspect continued to drive the vehicle in reverse and backed into a vehicle near a Camaro where it came to a stop. Mr. [redacted] heard verbal commands to freeze and to put his hands up. He complied, placing his hands outside the passenger's window. He further stated that during this incident, he sustained minor lacerations on his left and right wrist area, and complained of pain to his lower back.

Mr. [redacted] stated that he exited the vehicle by sliding out the passenger side front window and then slowly worked his way forward toward the deputies. He then knelt down, and then laid down on his stomach. He said he was then handcuffed and placed in the backseat of a Sheriffs patrol vehicle. He stated that he was bleeding and scared. Mr. [redacted] said he was then transported to a hospital somewhere in Paramount.

Mr. [redacted] further stated that he saw fire coming out of the engine compartment while he was seated in the suspect vehicle after the vehicle had stopped moving.

SUSPECT STATEMENTS

Lorenzo Hardis Howard MB/38

Deceased

On 11-11-2001 at 0840 hours, Investigators arrived at Martin Luther King Hospital located at 12020 Wilmington Avenue in Los Angeles. Investigators were advised that Suspect Lorenzo Hardis Howard was pronounced dead at 2154 hours, 11-10-2001, by Dr. Hughes. Suspect Howard's chart indicated that he had one gunshot wound to the right chest, one gunshot wound to the right shoulder, and one gunshot wound to the head.